

September 4, 2001

550289

The Honorable Spencer Abraham
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave. SW
Washington, D.C. 20585

SEP 07 2001

Dear Secretary Abraham,

I object to the lack of proper, reasonable notice and opportunity for hearing on the DOE's site recommendation of Yucca Mountain for a national high-level nuclear waste repository. On August 31, 2001, with less than 30 days for any interested person to read the DOE's more than 370 page long technical report, "Yucca Mountain Preliminary Site Suitability Evaluation," your agency announced it was holding public hearings on the site recommendation of Yucca Mountain in Nevada between September 5th and 13th. Not only are these hearings provided with totally inadequate notice, but, for persons who will be affected by the requisite transportation of high-level nuclear waste through their hometowns via rail and road, your agency has provided no opportunity to comment on the suitability of the recommendation. A few meetings in Nevada do not come close to providing an opportunity for public hearing on a project of this magnitude and immense potential danger to those on transportation routes throughout the country. The notice you have provided is absurdly short. In addition, the initial site of the meeting was cancelled, and the following site provided was furnished with an incorrect address. Moreover, your agency provided that final notice of the meeting (at the wrong address) on August 31st, the beginning of the long Labor Day weekend, less than five days to the meeting, including the intervening weekend and holiday. It seems evident that your intent is to have these hearings as quickly as possible, without public participation, thereby insuring the outcome. No democracy going on here, Secretary Abraham.

It is plain from the notices your agency published in the Federal Register on August 21, 27, and 31, that the public is not clearly placed on notice that these are public hearings on your agency's decision to recommend Yucca Mountain as the site for a national high-level nuclear waste repository. Persons reading the notice are given the impression that these are merely hearings on the preliminary site suitability evaluation. Even then, your provision of less than thirty days notice from the availability of the 370-page evaluation and a few hearings in Nevada make it impossible for ordinary citizens to have any meaningful participation in the hearing process. The notice was too short to arrange one's schedule to attend, too far away from most persons who are interested due to their living on the high-level nuclear waste transportation routes. There has been too little time to acquire and assimilate the substance of the 370-page report. If there are no shenanigans here, Secretary Abraham – then why the undue haste? Why not conduct these hearings under the glow of public attendance and media scrutiny?

The provisions of the Nuclear Waste Policy Act, and the United States Constitution's Fifth Amendment protections require that the citizens of Nevada – and persons like myself- must have at least reasonable notice, and an opportunity to be heard on a decision such as this one, a decision with vast repercussions and grave potential dangers. Your agency's actions in this regard have not met even the most minimal constitutional

protections of citizen's rights to due process. I am certain you have violated the rights of the citizens of Nevada, as well as my own rights – and indeed the rights of every citizen of the United States.

I call upon you, sir, to reschedule these hearings with adequate notice and correct publication of location. I call upon you, sir, to provide ample opportunity for all persons to be heard who would be affected by your agency's recommendation of Yucca Mountain as the national high-level waste repository.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Bruce", with a long horizontal flourish extending to the right.

Susan Bruce
P.O. Box 656
Intervale, N.H. 03845
A Concerned Citizen

cc. Lake Barrett, Acting Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Carol Hanlon
U.S. Department of Energy
Yucca Mountain Site Characterization Office (M/S #025)
P.O. Box 30307
North Las Vegas, NV 89036-03037